

# Privacy Policy

## 1. General information

Donielle Banks LLC (the “Foundation”, “we”, or “us”) is the operator of any Website published by the Foundation (the “Websites”).

As the operator of the Websites, we take the protection of your personal data very seriously. We collect, process, and use your personal data in accordance with this privacy policy and in compliance with the Swiss Federal Act on Data Protection (“FADP”), the Swiss Ordinance to the Federal Act on Data Protection (“OFADP”), and the General European Data Protection Regulation (“GDPR”).

This privacy policy (“Privacy Policy”) will provide you with information about the collection, processing and use of your personal data when using the Websites.

In case you provide us with the personal data of third persons (such as family members or work colleagues) you should make sure that these persons are familiar with this Privacy Policy and you should only share their personal data if you have permission to do so and ensure that his personal data is correct.

## 2. Responsible Person

For any matters, relating to data protection you may contact [notices@temptationtoken.io](mailto:notices@temptationtoken.io) (opens in a new tab)

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## 3. Data processing in connection with the Websites

### 3.1 Visiting our Websites

When you visit our Websites, the hosting provider(s) of our Websites may automatically collect and store various information in server log files that your browser transmits to us. The information/data mentioned is neither assigned to specific persons nor linked to data from other sources. The following technical data may be recorded by us, as usual with every connection with a web server, without your intervention, and stored by us until automatic deletion after no later than two days:

- Woocommerce cart data
- Unique identification code for Woocommerce customer

- Anonymized IP addresses

Any collection and processing of this technical data is for the purpose of enabling the use of our Websites, continuously ensuring system security and stability, optimising our Websites, and for internal statistical purposes. This is our legitimate interest in the processing of data in the sense of Art. 6 Par. 1 lit. f GDPR.

Furthermore, the IP addresses may be evaluated, together with other data, in case of attacks on the network infrastructure or other unauthorised use or misuse of the Websites, for the purpose of intelligence and protection, and if appropriate, used in criminal proceedings for identification and civil and criminal proceedings against the relevant users. This is our legitimate interest in the processing of data in the sense of Art. 6 Par. 1 lit. f GDPR.

### **3.2 Use of Website Cookies**

The Websites may use cookies. Cookies are text files that are stored in a computer system via an Internet browser. More detailed information on cookies and how they work can be found at: <http://www.allaboutcookies.org>(opens in a new tab)

Many Internet sites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a character string through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This allows visited Internet sites and servers to differentiate the individual browser of the data subject from other Internet browsers that contain other cookies. A specific Internet browser can be recognized and identified using the unique cookie ID.

Through the use of cookies, the Foundation may provide the users of the Websites with more user-friendly services that would not be possible without the cookie setting.

Cookies may allow us, as previously mentioned, to recognize our Website users. The purpose of this recognition is to make it easier for users to utilize our Websites. The Website user that uses cookies, e.g. does not have to enter access data each time the Website is accessed, because this is taken over by the Website, and the cookie is thus stored on the user's computer system.

You may, at any time, prevent the setting of cookies through our Websites by means of a corresponding setting of the Internet browser used, and may thus permanently deny the setting of cookies. Furthermore, previously set cookies may be deleted at any time via an Internet browser or other software programs. This is possible in all popular Internet browsers. If the data subject deactivates the setting of cookies in the Internet browser used, it may not be possible to use all the functions of our Websites.

For detailed information on the cookies we use and the purposes for which we use them, see our Cookie Policy.

### 3.3 Matomo Analytics

The Websites may use Matomo, an open source web analytics platform ("Matomo Analytics"). Where this is true, the information generated by the cookies about your use of the Websites (including your automatically anonymized IP address) may be stored on the servers of our hosting provider(s) in the United States. For more information about Matomo Analytics, you can access a demo version at: <https://demo.matomo.cloud>(opens in a new tab)

Before the data is stored, the IP address will be abbreviated by activating IP anonymization (anonymizeIP) on this Website.

In addition to the data listed in section 3.1, we may receive the following information because of Matomo Analytics:

- Usage data;
- Navigation path;
- Length of stay on the Website;
- Returning or new user; and/or
- End device.

We may use this technical data to analyze your use of the Websites by compiling reports on Website activity for the understanding and/or optimizing of our Websites and/or for internal statistical purposes. We do not use the information and personal data collected by Matomo to identify individuals unless we become aware of specific indications of illegal use.

Any processing of this technical personal data helps us to identify what is working and what is not on our Websites and how we may improve our Websites. Without any data thus received, we may not be able to provide you the service we are currently offering to you. Your data will be used only to improve the user experience on our Websites and help you find the information you are looking for. This is our legitimate interest in the processing of data in the sense of Art. 6 Par. 1 lit. f GDPR.

You can opt out of being tracked by Matomo Analytics and prevent the website from analysing the actions you take using the website. This will prevent us from learning from your actions and creating a better website experience for you and other users.

You are not opted out. Uncheck this box to opt-out.

### 3.4 Opening an account for the TTS Web Forum

To access our forums, you must set up an account and provide us with your username, e-mail address, skype name, and password.

The collected data, which you have voluntarily provided, is used for the purpose of providing your password-protected access to your base data we have stored. The legal basis for processing the data for this purpose lies in the consent you have provided in accordance with Art. 6 Par. 1 lit. a GDPR.

### **3.5 Contact possibility via the Websites**

You may contact us via our Websites' contact page or by e-mail to the following e-mail address: [support@getTTS.io](mailto:support@getTTS.io) (opens in a new tab)

For this, we require the following information: Name, Subject, E-Mail address, message.

We use this data, which you may give voluntarily, only in order to answer your contact question or to reply to your e-mail in the best possible manner. Therefore, the processing of this data is in our legitimate interest in accordance with Art. 6 Par. 1 lit. f GDPR and you have provided consent in accordance with Art. 6 Par. 1 lit. a GDPR.

### **3.6 Registration for our newsletter (if relevant)**

The receipt of our newsletter requires registration. For this you must provide your name and e-mail address. By registering, you give us your consent to process the given data in order to periodically send the newsletter to the address you have given. This consent constitutes the legal basis for our processing of your e-mail address in the sense of Art. 6 Par. 1 lit. a GDPR. All information gathered this way will never be passed on or sold to any third party.

At the end of each newsletter a link is provided by means of which you can unsubscribe at any time. After unsubscribing your personal data will be deleted.

### **3.7 Social Media**

We may use plug-ins from social networks such as Blog, GitHub, YouTube, Reddit, Gitter, Twitter, StackExchange, Facebook, or Meetups on our Websites. When you activate them by clicking on them, the operators of the respective social networks may record that you are on our Websites and may use this information. This processing of your personal data lays in the responsibility of these individual social media platforms and occurs according to their privacy policy. Please check with these individual social media platforms regarding their privacy policies. The Foundation is not responsible for data collected by these individual social media platforms. We only use these platforms to inform our community of updates and answer user questions.

### **3.8 Event Registration**

To register for any event organized by the Foundation through our Websites, we may require the following registration data: First and last name, language, company affiliation, company title, credit card information, e-mail address.

We may use this information as well as other information you voluntarily provide (e.g. preferences, comments) only in order to execute the reservation agreement, unless otherwise stated in this Privacy Policy or you have not specifically consented thereto.

We may process the data by name in order to record your reservation as you have requested, to contact you in case of a question or problem and to ensure correct payment.

The legal basis for the data processing for this purpose lies in the fulfillment of an agreement in accordance with Art. 6 Par. 1 lit. b GDPR.

#### **4. Other parties who have access to information we collect**

With the exception of the provider(s) of our Websites, we do not make your personal data available to third parties unless you have expressly consented to it, if we are legally obligated to, or if this is necessary to enforce our rights concerning a contractual relationship.

Personal data collected via the Websites may be passed on to and/or accessed by the Website service provider(s). The Websites may be hosted on servers in the US. The transfer of data is for the purpose of providing and maintaining the functionality of our Websites. This is our legitimate interest in the sense of Art. 6 Par. 1 lit f GDPR.

If you pay by credit card through the Websites, we may forward your credit card information to the credit card issuer and the credit card acquirer. If you choose to pay by credit card, you may be asked to provide all the necessary information. The legal basis for passing on the data lies in the fulfillment of an agreement in the sense of Art. 6 Par. Lit. b GDPR.

#### **5. International transfer of personal data**

We are entitled to transfer your personal data to third parties abroad for the purposes of the data processing described in this Privacy Policy. This concerns especially the following receiver(s):

- Our Websites service providers; and/or
- E-commerce providers such as payment solution providers to assist us in the processing of your online payments.

They are obliged to protect data privacy to the same extent as we ourselves. If the level of data protection in a given country does not correspond to the Swiss and European data protection level, we contractually ensure that the protection of your personal data corresponds to that in Switzerland and the EU at all times by concluding agreements using the standard contractual clauses and complying with the GDPR.

#### **6. Data security**

We use appropriate technical and organizational security measures to protect your stored personal data against manipulation, partial or complete loss, and unauthorized access by third

parties. Our security measures are continuously being improved in line with technical developments.

Please note that any data transmission on the Internet (e.g. communication by e-mail) is generally not secure and we accept no liability for data transmitted to us via the Internet. Unfortunately, absolute protection is not technically possible.

This information does not apply to the Websites of third parties and the corresponding links given on our Websites. The Foundation assumes no responsibility and liability for these.

## **7. Your Rights regarding your data**

### **7.1 Right to confirmation**

You have the right to obtain confirmation from the Foundation as to whether or not personal data concerning you is being processed. If you wish to avail yourself of this right of confirmation, you may, at any time, contact the responsible person as stated in section 1 of this Privacy Policy.

### **7.2 Right to access**

You have the right to obtain from the Foundation free information about your personal data stored at any time and a copy of this information. Furthermore, you will have access to the following information:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations;
- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of the right to request from the Foundation rectification or erasure of personal data, or restriction of processing of personal data concerning you, or to object to such processing;
- the existence of the right to lodge a complaint with a supervisory authority;
- where the personal data are not collected directly from you, any available information as to their source; and
- the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for you.

If you wish to avail yourself of this right of access, you may at any time contact the responsible person as stated in section 1 of this Privacy Policy.

### **7.3 Right to rectification**

You have the right to obtain from the Foundation, without undue delay, the rectification of inaccurate personal data concerning you. Taking into account the purposes of the processing, you shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement. If you wish to exercise this right to rectification, you may, at any time, contact the responsible person as stated in section 1 of this Privacy Policy.

### **7.4 Right to erasure (right to be forgotten)**

You have the right to obtain from the Foundation the erasure of personal data concerning you as soon as possible, and the Foundation shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- The personal data is no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- You withdraw consent to which the processing is based according to point (a) of Article 6(1) of the GDPR, or point (a) of Article 9(2) of the GDPR, and where there is no other legal ground for the processing;
- The data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR;
- The personal data has been unlawfully processed;
- The personal data must be erased for compliance with a legal obligation in accordance with the applicable law to which the Foundation is subject; and/or
- The personal data has been collected in relation to the offer of information society services referred to in Article 8(1) of the GDPR.

If any one of the aforementioned reasons applies, and you wish to request the erasure of personal data stored by the Foundation, you may at any time contact the responsible person as stated in section 1 of this Privacy Policy. The responsible person at the Foundation shall promptly ensure that the erasure request is complied with as soon as possible.

### **7.5 Right to restriction of processing**

You have the right to obtain from the Foundation restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by you, for a period enabling the Foundation to verify the accuracy of the personal data;
- the processing is unlawful and you oppose the erasure of the personal data and requests instead the restriction of their use instead;
- the Foundation no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defense of legal claims; and/or

- the data subject has objected to processing pursuant to Article 21(1) of the GDPR pending the verification whether the legitimate grounds of the Foundation override those of the data subject.

If any one of the aforementioned conditions is met, and you wish to request the restriction of the processing of personal data stored by the Foundation, you may at any time contact the Foundation's responsible person. The responsible person will arrange the restriction of the processing.

## **7.6 Right to object**

You have the right to object, on grounds relating to your particular situation, at any time, to the processing of personal data concerning you, which is based on point (e) or (f) of Article 6(1) of the GDPR. This also applies to profiling based on these provisions.

The Foundation shall no longer process the personal data in the event of the objection, unless the Foundation can demonstrate reasonable grounds for the processing, which override the interests, rights and freedoms of you, or for the establishment, exercise or defense of legal claims. In order to exercise the right to object, you may directly contact the responsible person.

## **7.7 Automated individual decision-making, including profiling**

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you, or similarly significantly affects you, as long as the decision (1) is not necessary for entering into, or the performance of, a contract between you and the Foundation, or (2) is not authorized by the applicable law and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests, or (3) is not based on your explicit consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between you and the Foundation, or (2) it is based on your explicit consent, the Foundation shall implement suitable measures to safeguard your rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express their point of view and contest the decision.

Please note that the Foundation does not use automatic decision-making but we may use profiling according to these Privacy Policy rules.

## **7.8 Right to withdraw data protection consent**

You have the right to withdraw your consent to processing of your personal data at any time. If you wish to exercise the right to withdraw the consent, you may at any time directly contact the responsible person as stated in section 1.



## **8. Duration of the storage**

The Foundation will process and store the personal data of the data subject only for the period necessary to achieve the purpose of storage, or as far as this is granted by the applicable laws or regulations. If the storage purpose is not applicable, or if a storage period prescribed by the applicable laws expires, the personal data is routinely erased in accordance with the legal requirements.

## **9. Minors**

The Foundation does not knowingly collect or use any personal data from minors. A minor may be able to willingly share personal information with others, depending on the products and/or media channels used. If a minor provides us with their information without the consent of their parent or guardian, we will ask the parent or guardian to contact us for the purpose of deleting that information.

## **10. Updates to our Privacy Policy**

The Foundation may update this Privacy Policy from time to time and inform you on the Websites that the policy has been amended. The current version of the Privacy Policy, as published on our Website, is applicable. With each update to our policies, we will note which sections have been updated.

## **11. More information about privacy regulations**

For more information on applicable privacy regulations, you may refer to:

- EU General Data Protection Regulation:  
[https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2016.119.01.0001.01.ENG](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.119.01.0001.01.ENG)(opens in a new tab)

Swiss Federal Act on Data Protection:

<https://www.admin.ch/opc/en/classified-compilation/19920153/index.html>(opens in a new tab)

Swiss Ordinance to the Federal Act on Data Protection:

<https://www.admin.ch/opc/en/classified-compilation/19930159/index.html>(opens in a new tab)

Please do not hesitate to contact us if you have any questions regarding this Privacy Policy by contacting us at [support@temptationtoken.io](mailto:support@temptationtoken.io) (opens in a new tab).